

REMARKS

This responds to the Office Action mailed on November 13, 2007.

Claims 8, 15, and 21 are amended; claims 1-7 were previously cancelled without prejudice to the Applicant; as a result, claims 8-24 are now pending in this application.

Applicant has amended the independent claims to overcome indefiniteness rejections that the Examiner believes to be present in the claims. As such, entry of the amendments is appropriate and entry does not necessitate a new search.

Example support for the amendments may be found throughout the original filed specification. By way of example only, the Examiner's attention is directed to the original filed specification paragraphs.

§112 Rejection of the Claims

Claims 8-24 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Applicant has now amended the independent claims to clearly identify what is the control field identifier and what is the control field. As such, this rejection is no longer appropriate as there is no longer any ambiguity in the claims. Thus, Applicant respectfully requests that the 112 rejections be withdrawn.

§103 Rejection of the Claims

Claims 8-12, 15-18 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dettinger et al. (U.S. 7,003,730) in view of McArdle (U.S. 2005/0044065). It is of course fundamental that in order to sustain an obviousness rejection that each and every limitation in the rejected claims be taught or suggested in the proposed combination of references.

Here, the language or locale setting of McArdle is provided as a setting for a command line processor; see paragraph 47 of McArdle. The user then submits a query to receive results in the desired language, see paragraph 48 of McArdle. There is no indication whatsoever in the McArdle reference that the locale setting or language setting is used in any manner to perform a join operation. Moreover, in Dettinger, there is no joining or margining activities discussed or defined at all. Dettinger is not directed to database merging or joining, it is directed to

dynamically building a search query. McArdle is directed to providing a setting with a search that returns search results in a desired language. Neither reference addresses a control field that is identified by a control field identifier that is used to perform joining or merging operations against a database or data store.

Accordingly, Applicant respectfully submits that the rejections of record are inappropriate and should be withdrawn and the claims of record allowed. Applicant respectfully requests an indication of the same.

Claims 13 and 22-24 were rejected under 35 USC § 103(a) as being unpatentable over Dettinger in view of McArdle, as applied to claims 8-12, 15-18 and 21 above, in view of DeLorme et al. U.S. 5,948,040). These claims are dependent from amended independent claims; as such, based on the amendments and remarks provided above with respect to the independent claims, the rejection of claims 13 and 22-24 should be withdrawn and these claims allowed. Applicant respectfully requests an indication of the same.

Claims 14 and 19-20 were rejected under 35 USC § 103(a) as being unpatentable over Dettinger in view of McArdle, as applied to claims 8-12, 15-18 and 21 above, in view of Chakaraburti et al. (U.S. 6,334,131). Again, these claims are dependent from amended independent claims; correspondingly, claims 14 and 19-20 are allowable in view of the remarks presented above with respect to their corresponding independent claims. Applicant respectfully requests an indication of the same.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record is relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4370

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.

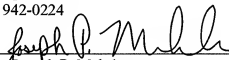
P.O. Box 2938

Minneapolis, MN 55402

(513) 942-0224

Date 2/13/08

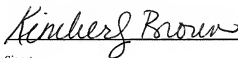
By


Joseph P. Mehrle
Reg. No. 45,535

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 13th day of February 2008.

Kimberly Brown

Name



Signature